

A2
Sub
B37

wafer is from about 0.5% to 6% by weight based on the weight of the sugar wafer; the sucrose is present in an amount of from 50 to 100 parts by weight per 100 parts by weight of the wheat flour and cereal grits; and the ratio of wheat flour to cereal grits to is from 10:90 to 80:20; and whereby the sugar wafer is sufficiently flexible for more than 40 seconds after baking to enable further processing of the wafer.

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13. (Amended) A sugar wafer comprising fat, wheat flour, sucrose, a reducing sugar, and water, wherein the combination of fat, wheat flour, sucrose, a reducing sugar, and water account for at least 95 percent by weight of the sugar wafer; the amount of water in the sugar wafer is from 0.5% to 6% by weight based on the weight of the sugar wafer; the sucrose and reducing sugar are present in an amount of from 50 to 100 parts by weight per 100 parts by weight of the wheat flour; and the ratio of sucrose to reducing sugar is from 85:15 to 20:80; and whereby the sugar wafer is sufficiently flexible for more than 40 seconds after baking to enable further processing of the wafer.

REMARKS

Claims 1-20, as amended, are pending in this application for the Examiner's review and consideration. A marked up version of the amended claims is attached as Appendix A. A clean copy of the pending claims is attached as Appendix B. Claims 1, 9, and 13 were amended to recite that the sugar wafer is sufficiently flexible for more than 40 seconds after baking to enable further processing of the wafer (*See, e.g.*, Specification, page 5, lines 12-15).

Initially, Applicants note that the Form PTO-1449 filed with the Information Disclosure Statement on February 20, 2001 has not been executed and returned. Applicants assume this was a mere oversight and enclose a copy herewith for the Examiner to properly acknowledge and return.

Applicants further note that although the Examiner has acknowledged the foreign priority claim, the certified copy of the priority document has not been located by the Patent Office. Applicants submit herewith a copy of Form PCT/IB/301 which evidences receipt of the priority document by the International Bureau. Should the Examiner not be able to locate the priority document from this file, Applicants will submit another copy.

The Declaration was objected to as being defective under 37 C.F.R. § 1.52(c) for the reasons recited on page 2 of the Office Action. Applicants are obtaining a new Declaration which will be submitted in due course.